

## JOURNAL OF THE SENATE

### Sixty-seventh Legislative Assembly

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**Bismarck, February 17, 2021**

The Senate convened at 1:00 p.m., with President Sanford presiding.

The prayer was offered by Chaplain Bobby GreyEagle, United Chapel, United Tribes Technical College, Bismarck ND.

The roll was called and all members were present.

A quorum was declared by the President.

#### CONSIDERATION OF AMENDMENTS

**SB 2137: SEN. MEYER (Finance and Taxation Committee) MOVED** that the amendments be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

#### MOTION

**SEN. KLEIN MOVED** that SB 2329 be moved to the top of the Eleventh order, which motion prevailed on a voice vote.

#### SECOND READING OF SENATE BILL

**SB 2329:** A BILL for an Act to amend and reenact subsection 2 of section 39-01-01 of the North Dakota Century Code, relating to the definition of an authorized emergency vehicle.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Oehlke

Engrossed SB 2329 passed.

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#### SECOND READING OF SENATE BILL

**SB 2245:** A BILL for an Act to provide an appropriation to the department of commerce for an intermodal transportation assistance program.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Poolman

Engrossed SB 2245 passed.

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### SECOND READING OF SENATE BILL

**SB 2145:** A BILL for an Act to create and enact chapter 50-10.3 of the North Dakota Century Code, relating to access to long-term care facilities; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed SB 2145 passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2230:** A BILL for an Act to amend and reenact section 6-09.7-05 of the North Dakota Century Code, relating to the use of the strategic investment and improvements fund.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

Engrossed SB 2230 passed.

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### SECOND READING OF SENATE BILL

**SB 2224:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance coverage of metabolic supplements.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Larsen, O.

Engrossed SB 2224 passed.

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#### SECOND READING OF SENATE BILL

**SB 2237:** A BILL for an Act to amend and reenact section 23.1-06-07 of the North Dakota Century Code, relating to limitations on regulation of coal-fueled electric generating units; to provide a penalty; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

SB 2237 passed and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2316:** A BILL for an Act to amend and reenact section 1-03-13 of the North Dakota Century Code, relating to changing the date of First Nations Day.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 34 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Davison; Heckaman; Hogan; Hogue; Holmberg; Krebsbach; Larsen, D.; Marcellais; Mathern; Oban; Piepkorn; Weber

**NAYS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Kannianen; Klein; Kreun; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Meyer; Myrdal; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Wobbema

SB 2316 failed.

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#### SECOND READING OF SENATE BILL

**SB 2266:** A BILL for an Act to provide for review of occupational and professional laws and rules to update outdated references to good character.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 5 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber

**NAYS:** Anderson; Erbele; Heitkamp; Myrdal; Wobbema

SB 2266 passed.

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**SECOND READING OF SENATE BILL**

**SB 2286:** A BILL for an Act to amend and reenact subsection 2 of section 54-16-00.1 of the North Dakota Century Code, relating to the definition of a state officer.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 41 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Heckaman; Hogan; Marcellais; Mathern; Oban; Piepkorn

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Meyer; Myrdal; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

SB 2286 failed.

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**SECOND READING OF SENATE BILL**

**SB 2343:** A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance dental benefits; to provide a statement of legislative intent; to provide for a report; and to provide a contingent effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 31 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Bell; Conley; Davison; Dever; Dwyer; Kannianen; Larson, D.; Meyer; Oehlke; Patten; Piepkorn; Roers, J.; Roers, K.; Rust; Sorvaag; Wanzek

**NAYS:** Anderson; Bakke; Bekkedahl; Burckhard; Clemens; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Lee; Lemm; Luick; Marcellais; Mathern; Myrdal; Oban; Poolman; Schaible; Vedaa; Wardner; Weber; Wobbema

Engrossed SB 2343 failed.

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**SECOND READING OF SENATE BILL**

**SB 2331:** A BILL for an Act to amend and reenact sections 16.1-11-08, 23-01-05, 50-06-01.1, and 50-06-01.3 and subsection 2 of section 54-06-01 of the North Dakota Century Code, relating to election of the state health officer and human services commissioner.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 3 YEAS, 44 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Conley; Heitkamp; Larsen, D.

**NAYS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

SB 2331 failed.

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### SECOND READING OF SENATE BILL

**SB 2232:** A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to the annual observance of Juneteenth; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bakke; Bekkedahl; Bell; Burckhard; Clemens; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Conley; Heitkamp; Larsen, O.

Engrossed SB 2232 passed and the emergency clause was declared carried.

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### SECOND READING OF SENATE BILL

**SB 2282:** A BILL for an Act to amend and reenact section 15-01-01 of the North Dakota Century Code, relating to membership of the board of university and school lands; and to provide a contingent effective date.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 30 YEAS, 17 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bell; Burckhard; Conley; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogan; Hogue; Kannianen; Klein; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lemm; Luick; Meyer; Myrdal; Patten; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Bakke; Bekkedahl; Clemens; Davison; Dever; Heckaman; Holmberg; Krebsbach; Lee; Marcellais; Mathern; Oban; Oehlke; Piepkorn; Poolman; Roers, J.; Roers, K.

Engrossed SB 2282 passed.

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### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4007:** A concurrent resolution to amend and reenact section 3 of article IX of the Constitution of North Dakota, relating to the membership of the board of university and school lands.

### ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, and has committee recommendation of DO PASS. The roll was called and there were 32 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bell; Burckhard; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Kannianen; Klein; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lemm; Luick; Meyer; Myrdal; Patten; Roers, J.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Bekkedahl; Clemens; Heckaman; Hogan; Holmberg; Krebsbach; Lee; Marcellais; Mathern; Oban; Oehlke; Piepkorn; Poolman; Roers, K.

**ABSENT AND NOT VOTING:** Bakke

Engrossed SCR 4007 was declared adopted on a recorded roll call vote.

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**SECOND READING OF SENATE BILL**

**SB 2290:** A BILL for an Act to amend and reenact sections 54-16-04.1 and 54-16-04.2 of the North Dakota Century Code, relating to emergency commission and budget section approval to accept and disburse federal and other funds; and to declare an emergency.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 1 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Mathern

**ABSENT AND NOT VOTING:** Bakke

Engrossed SB 2290 passed and the emergency clause was declared carried.

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**MOTION**

**SEN. KLEIN MOVED** that SCR 4013 be placed at the bottom of the Eleventh order, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

**SB 2271:** A BILL for an Act to create and enact section 16.1-14-29 of the North Dakota Century Code, relating to withholding vote totals for presidential elections; to amend and reenact sections 16.1-14-01 and 16.1-14-27 of the North Dakota Century Code, relating to procedures for canvassing and counting votes for presidential electors; to provide a penalty; and to provide a contingent effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Heckaman; Hogan; Mathern

**ABSENT AND NOT VOTING:** Bakke

Engrossed SB 2271 passed.

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**SECOND READING OF SENATE BILL**

**SB 2323:** A BILL for an Act to create and enact a new section to chapter 11-09.1, a new section to chapter 11-33, a new section to chapter 40-05, and a new section to chapter 40-05.1 of the North Dakota Century Code, relating to the zoning authority

of counties and cities with respect to abortion facilities.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Dever; Dwyer; Elkin; Heitkamp; Hogue; Klein; Larsen, D.; Larsen, O.; Larson, D.; Myrdal; Vedaa; Wanzek; Weber

**NAYS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Erbele; Fors; Heckaman; Hogan; Holmberg; Kannianen; Krebsbach; Kreun; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Wardner; Wobbema

**ABSENT AND NOT VOTING:** Bakke

SB 2323 failed.

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#### SECOND READING OF SENATE BILL

**SB 2238:** A BILL for an Act to create and enact section 23.1-06-16 of the North Dakota Century Code, relating to the state regional haze plan; to provide a penalty; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heckaman; Heitkamp; Hogan; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Mathern; Meyer; Myrdal; Oban; Oehlke; Patten; Piepkorn; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**ABSENT AND NOT VOTING:** Bakke

Engrossed SB 2238 passed and the emergency clause was declared carried.

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#### SECOND READING OF SENATE BILL

**SB 2291:** A BILL for an Act to create and enact a new section to chapter 21-10 of the North Dakota Century Code, relating to social investments made by the state investment board; to provide for a department of commerce study of the implications of complete divestment of companies that boycott energy or commodities; to provide for reports to legislative management; and to declare an emergency.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 42 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson; Bekkedahl; Bell; Burckhard; Clemens; Conley; Davison; Dever; Dwyer; Elkin; Erbele; Fors; Heitkamp; Hogue; Holmberg; Kannianen; Klein; Krebsbach; Kreun; Larsen, D.; Larsen, O.; Larson, D.; Lee; Lemm; Luick; Marcellais; Meyer; Myrdal; Oban; Oehlke; Patten; Poolman; Roers, J.; Roers, K.; Rust; Schaible; Sorvaag; Vedaa; Wanzek; Wardner; Weber; Wobbema

**NAYS:** Heckaman; Hogan; Mathern; Piepkorn

**ABSENT AND NOT VOTING:** Bakke

Engrossed SB 2291 passed and the emergency clause was declared carried.

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**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2008, SB 2009, SB 2010, SB 2013, SB 2025, SB 2208, SB 2215, SB 2292, SB 2293, SB 2317.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, the emergency clause carried, and your favorable consideration is requested on: SB 2012.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1173, HB 1179, HB 1198, HB 1231, HB 1238, HB 1376, HB 1417, HB 1424, HB 1455.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Thursday, February 18, 2021, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**SB 2002: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar.

Page 1, line 1, after the semicolon insert "to amend and reenact sections 14-08.1-08, 14-09-08.1, 14-09-08.2, 14-09-09.29, 14-09-26, 27-02-02, and 27-05-03 and subsection 2 of section 50-09-02.1 of the North Dakota Century Code, relating to clerk of court responsibilities regarding child support, salaries of justices of the supreme court, and salaries of district court judges; to provide for a report; to provide a statement of legislative intent;"

Page 1, replace lines 11 through 19 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,338,720	(\$102,613)	\$11,236,107
Operating expenses	2,705,762	(355,668)	2,350,094
Capital assets	0	2,032,000	2,032,000
Guardianship monitoring program	<u>283,042</u>	<u>4,112</u>	<u>287,154</u>
Total all funds	\$14,327,524	\$1,577,831	\$15,905,355
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$14,327,524	\$1,577,831	\$15,905,355"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$73,242,268	\$3,911,435	\$77,153,703
Operating expenses	20,396,902	755,340	21,152,242
Capital assets	0	2,328,000	2,328,000
Judges' retirement	<u>280,332</u>	<u>(143,086)</u>	<u>137,246</u>
Total all funds	\$93,919,502	\$6,851,689	\$100,771,191
Less estimated income	<u>1,659,596</u>	<u>32,314</u>	<u>1,691,910</u>
Total general fund	\$92,259,906	\$6,819,375	\$99,079,281"

Page 2, replace lines 9 through 15 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	\$1,250,962	\$69,235	\$1,320,197
Total all funds	\$1,250,962	\$69,235	\$1,320,197
Less estimated income	482,701	19,799	502,500
Total general fund	\$768,261	\$49,436	\$817,697"

Page 2, replace lines 18 through 23 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$107,355,691	\$8,446,642	\$115,802,333
Grand total special funds	2,142,297	52,113	2,194,410
Grand total all funds	\$109,497,988	\$8,498,755	\$117,996,743
Full-time equivalent positions	363.00	(1.50)	361.50"

Page 2, line 24, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 2, line 25, after "biennium" insert "and the 2021-23 biennium one-time funding items included in section 1 of this Act"

Page 2, remove lines 27 through 30

Page 3, replace lines 1 and 2 with:

"Docket management system	\$0	\$2,000,000
Juvenile case management system	0	2,000,000
Zoom remote video equipment	0	360,000
Wi-fi access points	0	157,600
Copy machines	82,500	0
Audio and visual equipment	64,852	0
Law library remodel	970,000	0
Total all funds	\$1,117,352	\$4,517,600
Less estimated income	970,000	0
Total general fund	\$147,352	\$4,517,600

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The supreme court shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 12, insert:

**"SECTION 5. AMENDMENT.** Section 14-08.1-08 of the North Dakota Century Code is amended and reenacted as follows:

**14-08.1-08. Certification of records.**

~~The clerk of court and any~~An authorized agent of the child support agency, in any circumstance or proceeding requiring proof of the contents of the official records of the state regarding any information maintained in the state case registry of the automated data processing system established under section 50-09-02.1, may certify the content of those records. A certification provided under this section is prima facie evidence of the contents of those records.

**SECTION 6. AMENDMENT.** Section 14-09-08.1 of the North Dakota Century Code is amended and reenacted as follows:

**14-09-08.1. Support payments - Payment to state disbursement unit - Transfer of proceedings for enforcement of decree - Procedures upon failure to pay.**

1. In any action in which a court orders that payments for child support be made, the court shall provide in its order that the payments be paid to the state disbursement unit for remittance to the obligee.
2. a. Each party subject to the order shall immediately inform the state disbursement unit of the party's:
  - (1) Social security number;
  - (2) Residential and mailing addresses and any change of address;
  - (3) Telephone number;
  - (4) Motor vehicle operator's license number;
  - (5) Employer's name, address, and telephone number;
  - (6) Electronic mail address; and
  - (7) Change of any other condition which may affect the proper administration of this chapter.
- b. Each order for payment of child support must notify each party of the requirements in subdivision a and require the party to provide the information within ten days from the date of the order or ten days after any change in the information.
- c. In any subsequent child support enforcement or modification action between the parties, upon sufficient showing that diligent effort has been made to ascertain the location of a party, the court shall deem due process requirements for notice and service to have been met, with respect to the noticed party, by delivery of written notice to the most recent residential or employer address provided by the noticed party pursuant to this subsection.
- d. The requirements of this subsection continue in effect until all child support obligations have been satisfied with respect to each child subject to the order.
3. Whenever there is failure to make the payments as required, the clerk of court ~~may, and~~ upon request of the obligee or child support agency shall, send notice of the arrears by first-class mail, with affidavit of service, to the person required to make the payments, or request a district judge of the judicial district to issue a citation for contempt of court against the person who has failed to make the payments. The citation may be served on that person by first-class mail with affidavit of service to the person's last-known address.
4. The court of its own motion or on motion of the child support agency or the state's attorney of the county of venue, the county of the recipient's residence, or the county of the obligor's residence may cause a ~~certified copy of any~~ support order in the action to be transcribed and filed with the clerk of the district court of any county in this state in which the obligee or the obligor may reside from time to time. Thereafter, this section applies as if the support order were issued by the district court of the county to which the support order is transcribed. No fee may be charged for transcribing or filing a ~~certified copy of any~~ support order under this section.

**SECTION 7. AMENDMENT.** Section 14-09-08.2 of the North Dakota Century Code is amended and reenacted as follows:

**14-09-08.2. Support for children after majority - Retroactive application.**

1. A judgment or order requiring the payment of child support until the child attains majority continues as to the child until the end of the month during which the child is graduated from high school or attains the age of nineteen years, whichever occurs first, if:
  - a. The child is enrolled and attending high school and is eighteen years of age ~~prior to~~before the date the child is expected to be graduated; and
  - b. The child resides with the person to whom the duty of support is owed.
2. A judgment or order may require payment of child support after majority under substantially the circumstances described in subsection 1.
3. The person to whom the duty of support is owed under either subsection 1 or 2 may file an affidavit with the district court and provide a copy to the child support agency stating that the requirements of subsection 1 are met, the school in which the child is enrolled, and the anticipated date of the child's graduation. Upon filing of the affidavit, the child support resumes pursuant to subsection 1 or pursuant to the terms of a judgment or order described in subsection 2. A fee may not be charged for filing such an affidavit.
4. ~~The clerk of court~~child support agency shall serve the affidavit by first-class mail upon the person owing the duty of support. If at any time thereafter the person owing the duty of support files a motion with the court, supported by that person's affidavit that the child is no longer enrolled in or attending high school or is no longer residing with the person to whom the duty of support is owed, the court shall determine if the child is enrolled in and attending high school and residing with the person to whom the duty of support is owed and shall enter an order accordingly.
5. This section applies to child support orders concerning children described in subsection 1 or 2, regardless of the date of entry of the order.
6. This section does not preclude the entry of an order for child support which continues after the child reaches age eighteen, if the parties agree, or if the court determines the support to be appropriate.
7. For purposes of this section:
  - a. A child is treated as being in school during summer vacation if the child was enrolled in and attending school and did not graduate from high school at the end of the school period immediately preceding the summer vacation; and
  - b. A child who is currently enrolled in school is not considered to have graduated, even if all required coursework and examinations have been completed, until the ceremony is held by the school to commemorate the child's graduation.

**SECTION 8. AMENDMENT.** Section 14-09-09.29 of the North Dakota Century Code is amended and reenacted as follows:

**14-09-09.29. Coordination of income withholding activities and child support case management.**

The child support agency ~~shall assume responsibility~~is responsible for administration of income withholding, managing accrual and termination dates and payment ledger adjustments on the automated system established under section

50-09-02.1, and the receipt and disbursement of child support payments. This section also applies to an order that does not require the payment of child support but requires the payment of spousal support, if the court orders the spousal support be paid through the state disbursement unit or be enforced through income withholding.

**SECTION 9. AMENDMENT.** Section 14-09-26 of the North Dakota Century Code is amended and reenacted as follows:

**14-09-26. Modification of existing child support orders.**

1. A child support order issued under any provision of this code and in effect on October 1, 1998, is deemed to require payment to the state disbursement unit after September 30, 1998.
2. A child support order issued under any provision of this code after September 30, 1998, must require payment to the state disbursement unit.
3. ~~A payment of child support received by a clerk of court after September 30, 1998, is deemed to be a payment to the state disbursement unit. A clerk of court receiving such child support payment after September 30, 1998, shall promptly remit or transfer that payment to the state disbursement unit.~~

**SECTION 10. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

**27-02-02. Salaries of justices of supreme court.**

~~The annual salary of each justice of the supreme court is one hundred fifty nine thousand four hundred nine dollars through June 30, 2020~~one hundred sixty-six thousand six hundred sixty-two dollars through June 20, 2022, and one hundred sixty-three thousand three hundred ninety-four~~one hundred sixty-nine thousand nine hundred ninety-five dollars thereafter. The chief justice of the supreme court is entitled to receive an additional four thousand five hundred eight dollars per annum through June 30, 2020~~four thousand seven hundred thirteen dollars per annum through June 30, 2022, and four thousand six hundred twenty-one~~four thousand eight hundred seven dollars per annum thereafter.~~

**SECTION 11. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is amended and reenacted as follows:

**27-05-03. Salaries and expenses of district judges.**

~~The annual salary of each district judge is one hundred forty-six thousand two hundred sixty-nine dollars through June 30, 2020~~one hundred fifty-two thousand nine hundred twenty-five dollars through June 30, 2022, and one hundred forty-nine thousand nine hundred twenty-six~~one hundred fifty-five thousand nine hundred eighty-four~~dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional four thousand one hundred fifty-six dollars per annum through June 30, 2020~~four thousand three hundred forty-five dollars per annum through June 30, 2022, and four thousand two hundred sixty~~four thousand four hundred thirty-two~~dollars thereafter.~~

**SECTION 12. AMENDMENT.** Subsection 2 of section 50-09-02.1 of the North Dakota Century Code is amended and reenacted as follows:

2. The state agency shall establish a statewide automated data processing system designed to conform to requirements imposed by or under title IV-D. ~~The state agency must make that system available for the use of clerks of court in carrying out their duties under section 14-09-08.1.~~

The official records of the state regarding all child support amounts owed, collected, and distributed must be maintained in that system. Notwithstanding section 14-08.1-05, any record of a child support obligation that is currently being enforced in another jurisdiction and not by a child support agency, that is owed by an obligor who is deceased, or that is owed to a deceased obligee for whom disbursement of any collections could not occur under section 14-09-25, may be removed indefinitely from the statewide automated data processing system until a request is received from a party to the child support case to restore those records.

**SECTION 13. LEGISLATIVE INTENT - INFORMATION TECHNOLOGY PROJECTS.** It is the intent of the sixty-seventh legislative assembly that the judicial branch pursue the use of federal funds from the coronavirus relief fund to defray the cost of remote video equipment and district court wi-fi access points."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2002 - Summary of Senate Action**

	Base Budget	Senate Changes	Senate Version
Supreme Court			
Total all funds	\$14,327,524	\$1,577,831	\$15,905,355
Less estimated income	0	0	0
General fund	<u>\$14,327,524</u>	<u>\$1,577,831</u>	<u>\$15,905,355</u>
FTE	43.50	0.00	43.50
District Courts			
Total all funds	\$93,919,502	\$6,851,689	\$100,771,191
Less estimated income	1,659,596	32,314	1,691,910
General fund	<u>\$92,259,906</u>	<u>\$6,819,375</u>	<u>\$99,079,281</u>
FTE	315.00	(1.50)	313.50
Judicial Conduct Commission			
Total all funds	\$1,250,962	\$69,235	\$1,320,197
Less estimated income	482,701	19,799	502,500
General fund	<u>\$768,261</u>	<u>\$49,436</u>	<u>\$817,697</u>
FTE	4.50	0.00	4.50
Bill total			
Total all funds	\$109,497,988	\$8,498,755	\$117,996,743
Less estimated income	2,142,297	52,113	2,194,410
General fund	<u>\$107,355,691</u>	<u>\$8,446,642</u>	<u>\$115,802,333</u>
FTE	363.00	(1.50)	361.50

**Senate Bill No. 2002 - Supreme Court - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$11,338,720	(\$102,613)	\$11,236,107
Operating expenses	2,705,762	(355,668)	2,350,094
Capital assets		2,032,000	2,032,000
Guardianship monitoring program	<u>283,042</u>	<u>4,112</u>	<u>287,154</u>
Total all funds	\$14,327,524	\$1,577,831	\$15,905,355
Less estimated income	0	0	0
General fund	<u>\$14,327,524</u>	<u>\$1,577,831</u>	<u>\$15,905,355</u>
FTE	43.50	0.00	43.50

**Department 181 - Supreme Court - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Adjustments <sup>2</sup>	Reduces Funding for Miscellaneous Expenses <sup>3</sup>	Adds Funding to Lease Information Technology Equipment <sup>4</sup>	Adds One-Time Funding for Zoom Remote Video Equipment <sup>5</sup>	Adds One-Time Funding for a Docket Management System <sup>6</sup>
Salaries and wages	(\$386,147)	\$283,534				
Operating expenses			(\$490,279)	\$134,611		
Capital assets					\$32,000	\$2,000,000
Guardianship monitoring program	10,808	6,371	(13,067)			
<b>Total all funds</b>	<b>(\$375,339)</b>	<b>\$289,905</b>	<b>(\$503,346)</b>	<b>\$134,611</b>	<b>\$32,000</b>	<b>\$2,000,000</b>
Less estimated income	0	0	0	0	0	0
<b>General fund</b>	<b>(\$375,339)</b>	<b>\$289,905</b>	<b>(\$503,346)</b>	<b>\$134,611</b>	<b>\$32,000</b>	<b>\$2,000,000</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Total Senate Changes</b>
Salaries and wages	(\$102,613)
Operating expenses	(355,668)
Capital assets	2,032,000
Guardianship monitoring program	4,112
<b>Total all funds</b>	<b>\$1,577,831</b>
Less estimated income	0
<b>General fund</b>	<b>\$1,577,831</b>
FTE	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<b>General Fund</b>
Salary increase	\$287,761
Health insurance increase	2,144
<b>Total</b>	<b>\$289,905</b>

<sup>3</sup> Funding for miscellaneous expenses, including travel and professional materials and supplies is reduced by \$503,346 from the general fund.

<sup>4</sup> Funding of \$134,611 from the general fund is added to lease information technology equipment and for associated software costs.

<sup>5</sup> One-time funding of \$32,000 from the general fund is added for Zoom remote video equipment.

<sup>6</sup> One-time funding of \$2 million from the general fund is added for a new docket management system.

**Senate Bill No. 2002 - District Courts - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$73,242,268	\$3,911,435	\$77,153,703
Operating expenses	20,396,902	755,340	21,152,242
Capital assets		2,328,000	2,328,000
Judges' retirement	280,332	(143,086)	137,246
<b>Total all funds</b>	<b>\$93,919,502</b>	<b>\$6,851,689</b>	<b>\$100,771,191</b>
Less estimated income	1,659,596	32,314	1,691,910
<b>General fund</b>	<b>\$92,259,906</b>	<b>\$6,819,375</b>	<b>\$99,079,281</b>
FTE	315.00	(1.50)	313.50

Department 182 - District Courts - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Adjustments <sup>2</sup>	Transfers Child Support Duties to the Department of Human Services <sup>3</sup>	Reduces Funding for Judges' Retirement <sup>4</sup>	Adds Funding for a Veterans' Treatment Court <sup>5</sup>	Adds Funding to Lease Information Technology Equipment <sup>6</sup>
Salaries and wages	\$2,125,790	\$1,909,906	(\$225,000)		\$100,739	
Operating expenses					44,508	\$980,397
Capital assets						
Judges' retirement				(\$143,086)		
<b>Total all funds</b>	<b>\$2,125,790</b>	<b>\$1,909,906</b>	<b>(\$225,000)</b>	<b>(\$143,086)</b>	<b>\$145,247</b>	<b>\$980,397</b>
Less estimated income	(31,054)	1	0	0	0	0
<b>General fund</b>	<b>\$2,156,844</b>	<b>\$1,909,905</b>	<b>(\$225,000)</b>	<b>(\$143,086)</b>	<b>\$145,247</b>	<b>\$980,397</b>
FTE	0.00	0.00	(1.50)	0.00	0.00	0.00

	Reduces Funding for Miscellaneous Expenses <sup>7</sup>	Adds One-Time Funding <sup>8</sup>	Total Senate Changes
Salaries and wages			\$3,911,435
Operating expenses	(\$427,165)	\$157,600	755,340
Capital assets		2,328,000	2,328,000
Judges' retirement			(143,086)
<b>Total all funds</b>	<b>(\$427,165)</b>	<b>\$2,485,600</b>	<b>\$6,851,689</b>
Less estimated income	63,367	0	32,314
<b>General fund</b>	<b>(\$490,532)</b>	<b>\$2,485,600</b>	<b>\$6,819,375</b>
FTE		0.00	(1.50)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$1,894,366	\$0	\$1,894,366
Health insurance increase	15,539	1	15,540
<b>Total</b>	<b>\$1,909,905</b>	<b>\$1</b>	<b>\$1,909,906</b>

<sup>3</sup> Certain child support duties are transferred from the district courts to the Department of Human Services, including the removal of 1.5 FTE positions and \$225,000 from the general fund from the district courts.

<sup>4</sup> Funding for judges' retirement is reduced by \$143,086 from the general fund.

<sup>5</sup> Funding of \$145,247 from the general fund, including \$100,739 for temporary salaries and wages and \$44,508 for operating expenses, is added for a veterans' treatment court in the Northeast Central Judicial District.

<sup>6</sup> Funding of \$980,397 from the general fund is added to lease information technology equipment and for associated software costs.

<sup>7</sup> Funding for miscellaneous expenses, including travel and rent is reduced by \$427,165, including a reduction of \$490,532 from the general fund and an increase of \$63,367 from federal funds.

<sup>8</sup> One-time funding is added for the following items:

	General Fund
Juvenile case management system	\$2,000,000
Zoom remote video equipment	328,000
Wi-Fi access points	157,600
<b>Total</b>	<b>\$2,485,600</b>

**Senate Bill No. 2002 - Judicial Conduct Commission - Senate Action**

	Base Budget	Senate Changes	Senate Version
Judicial Conduct Commission	\$1,250,962	\$69,235	\$1,320,197
Total all funds	\$1,250,962	\$69,235	\$1,320,197
Less estimated income	482,701	19,799	502,500
General fund	\$768,261	\$49,436	\$817,697
FTE	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Adjustments <sup>2</sup>	Adjusts Funding for Miscellaneous Expenses <sup>3</sup>	Total Senate Changes
Judicial Conduct Commission	\$45,323	\$26,738	(\$2,826)	\$69,235
Total all funds	\$45,323	\$26,738	(\$2,826)	\$69,235
Less estimated income	20,121	0	(322)	19,799
General fund	\$25,202	\$26,738	(\$2,504)	\$49,436
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

General Fund	
Salary increase	\$26,492
Health insurance increase	246
Total	\$26,738

<sup>3</sup> Funding is reduced by \$2,826, including \$2,504 from the general fund and \$322 from other funds for miscellaneous expenses, including reductions in postage and information technology data processing and an increase in rent.

**Senate Bill No. 2002 - Other Changes - Senate Action**

This amendment also:

- Transfers certain child support duties from the district courts to the Department of Human Services.
- Increases Supreme Court justices' salaries by 2 percent each year of the biennium.
- Increases district court judges' salaries by 2 percent each year of the biennium.
- Adds legislative intent that the judicial branch pursue federal funds from the Coronavirus Relief Fund to two information technology projects, including Zoom remote video equipment and district court wi-fi access points. This amendment provides an appropriation of \$517,600 from the general fund for the projects.

**REPORT OF STANDING COMMITTEE**

**SB 2020: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, remove lines 18 through 23

Page 2, replace lines 1 and 2 with:

	Base Level	Adjustments or Enhancements	Appropriation
Extension service	\$54,396,305	\$1,913,421	\$56,309,726
Soil conservation committee	1,091,520	0	1,091,520
Total all funds	\$55,487,825	\$1,913,421	\$57,401,246

Less estimated income	27,778,159	512,645	28,290,804
Total general fund	\$27,709,666	\$1,400,776	\$29,110,442
Full-time equivalent positions	242.51	(0.74)	241.77"

Page 2, replace lines 5 through 11 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Northern crops institute	\$3,840,027	\$75,225	\$3,915,252
Total all funds	\$3,840,027	\$75,225	\$3,915,252
Less estimated income	1,896,217	27,485	1,923,702
Total general fund	\$1,943,810	\$47,740	\$1,991,550
Full-time equivalent positions	12.80	0.75	13.55"

Page 2, replace lines 14 through 21 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Upper great plains transportation institute	\$23,292,223	\$258,164	\$23,550,387
Total all funds	\$23,292,223	\$258,164	\$23,550,387
Less estimated income	18,895,894	158,844	19,054,738
Total general fund	\$4,396,329	\$99,320	\$4,495,649
Full-time equivalent positions	43.88	0.00	43.88"

Page 2, replace lines 24 through 30 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Main research center	\$109,170,101	\$4,640,557	\$113,810,658
Total all funds	\$109,170,101	\$4,640,557	\$113,810,658
Less estimated income	56,502,775	943,890	57,446,665
Total general fund	\$52,667,326	\$3,696,667	\$56,363,993
Full-time equivalent positions	344.05	(9.49)	334.56"

Page 3, replace lines 2 through 14 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Dickinson research center	\$7,015,862	\$63,357	\$7,079,219
Central grasslands research center	3,510,825	40,091	3,550,916
Hettinger research center	5,112,403	62,571	5,174,974
Langdon research center	3,052,060	39,890	3,091,950
North Central research center	5,137,570	66,013	5,203,583
Williston research center	5,286,833	80,573	5,367,406
Carrington research center	9,685,861	139,114	9,824,975
Total all funds	\$38,801,414	\$491,609	\$39,293,023
Less estimated income	20,600,388	109,299	20,709,687
Total general fund	\$18,201,026	\$382,310	\$18,583,336
Full-time equivalent positions	109.81	(1.60)	108.21"

Page 3, replace lines 17 through 21 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Agronomy seed farm	\$1,565,975	\$13,648	\$1,579,623
Total special funds	\$1,565,975	\$13,648	\$1,579,623
Full-time equivalent positions	3.00	0.00	3.00"

Page 3, replace lines 24 through 28 with:

"		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$104,918,157	\$5,626,813	\$110,544,970

Grand total other funds	127,239,408	1,765,811	129,005,219
Grand total all funds	\$232,157,565	\$7,392,624	\$239,550,189

Page 3, line 29, after "**FUNDING**" insert "**EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 3, line 30, after "biennium" insert "and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 4, replace lines 2 through 7 with:

"Deferred maintenance	\$0	\$500,000
Carrington research extension center capital projects	0	775,000
Central grasslands research extension center capital projects	0	525,000
Hettinger research extension center capital projects	0	300,000
Seed cleaning plant	750,000	0
Extraordinary repairs	940,465	0
Greenhouse	500,000	0
Total all funds	\$2,190,465	\$2,100,000
Total other funds	1,440,465	375,000
Total general fund	\$750,000	\$1,725,000"

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The main research center shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

Page 5, line 4, after "section" insert "on"

Page 5, line 6, after "authority" insert "available"

Page 5, after line 9, insert:

**"SECTION 9. EXEMPTION.** The \$500,000 of other funds appropriated for the Williston research extension center greenhouse and the \$750,000 from the general fund appropriated for the Williston research extension center seed cleaning plant in subdivision 4 of section 1 of chapter 20 of the 2019 Session Laws and the \$1,500,000 of other funds appropriated for the Williston research extension center seed cleaning plant in subdivision 5 of section 1 of chapter 45 of the 2017 Session Laws continued into the 2019-21 biennium pursuant to section 10 of chapter 20 of the 2019 Session Laws are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or related revenues are available and may be expended during the biennium beginning July 1, 2021, and ending June 30, 2023."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2020 - Summary of Senate Action**

	Base Budget	Senate Changes	Senate Version
Transportation Institute			
Total all funds	\$23,292,223	\$258,164	\$23,550,387
Less estimated income	18,895,894	158,844	19,054,738
General fund	\$4,396,329	\$99,320	\$4,495,649
FTE	43.88	0.00	43.88
Branch Research Centers			
Total all funds	\$38,801,414	\$491,609	\$39,293,023
Less estimated income	20,600,388	109,299	20,709,687
General fund	\$18,201,026	\$382,310	\$18,583,336
FTE	109.81	(1.60)	108.21
NDSU Extension Service			
Total all funds	\$55,487,825	\$1,913,421	\$57,401,246
Less estimated income	27,778,159	512,645	28,290,804

General fund	\$27,709,666	\$1,400,776	\$29,110,442
FTE	242.51	(0.74)	241.77
Northern Crops Institute			
Total all funds	\$3,840,027	\$75,225	\$3,915,252
Less estimated income	1,896,217	27,485	1,923,702
General fund	\$1,943,810	\$47,740	\$1,991,550
FTE	12.80	0.75	13.55
Main Research Center			
Total all funds	\$109,170,101	\$4,640,557	\$113,810,658
Less estimated income	56,502,775	943,890	57,446,665
General fund	\$52,667,326	\$3,696,667	\$56,363,993
FTE	344.05	(9.49)	334.56
Agronomy Seed Farm			
Total all funds	\$1,565,975	\$13,648	\$1,579,623
Less estimated income	1,565,975	13,648	1,579,623
General fund	\$0	\$0	\$0
FTE	3.00	0.00	3.00
Bill total			
Total all funds	\$232,157,565	\$7,392,624	\$239,550,189
Less estimated income	127,239,408	1,765,811	129,005,219
General fund	\$104,918,157	\$5,626,813	\$110,544,970
FTE	756.05	(11.08)	744.97

**Senate Bill No. 2020 - Transportation Institute - Senate Action**

	Base Budget	Senate Changes	Senate Version
Upper Great Plains Trans. Institute	\$23,292,223	\$258,164	\$23,550,387
Total all funds	\$23,292,223	\$258,164	\$23,550,387
Less estimated income	18,895,894	158,844	19,054,738
General fund	\$4,396,329	\$99,320	\$4,495,649
FTE	43.88	0.00	43.88

**Department 627 - Transportation Institute - Detail of Senate Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Total Senate Changes
Upper Great Plains Trans. Institute	\$258,164	\$258,164
Total all funds	\$258,164	\$258,164
Less estimated income	158,844	158,844
General fund	\$99,320	\$99,320
FTE	0.00	0.00

<sup>1</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$98,469	\$157,499	\$255,968
Health insurance increase	851	1,345	2,196
Total	\$99,320	\$158,844	\$258,164

## Senate Bill No. 2020 - Branch Research Centers - Senate Action

	Base Budget	Senate Changes	Senate Version
Dickinson Research Center	\$7,015,862	\$63,357	\$7,079,219
Central Grasslands Research Center	3,510,825	40,091	3,550,916
Hettinger Research Center	5,112,403	62,571	5,174,974
Langdon Research Center	3,052,060	39,890	3,091,950
North Central Research Center	5,137,570	66,013	5,203,583
Williston Research Center	5,286,833	80,573	5,367,406
Carrington Research Center	9,685,861	139,114	9,824,975
Total all funds	\$38,801,414	\$491,609	\$39,293,023
Less estimated income	20,600,388	109,299	20,709,687
General fund	\$18,201,026	\$382,310	\$18,583,336
FTE	109.81	(1.60)	108.21

## Department 628 - Branch Research Centers - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Increases Funding for Capital Bond Payments <sup>3</sup>	Total Senate Changes
Dickinson Research Center	\$1	\$63,356		\$63,357
Central Grasslands Research Center	(1)	39,906	\$186	40,091
Hettinger Research Center		62,571		62,571
Langdon Research Center		39,890		39,890
North Central Research Center	(1)	65,868	146	66,013
Williston Research Center	(1)	80,574		80,573
Carrington Research Center		139,114		139,114
Total all funds	(\$2)	\$491,279	\$332	\$491,609
Less estimated income	(2)	109,301	0	109,299
General fund	\$0	\$381,978	\$332	\$382,310
FTE	(1.60)	0.00	0.00	(1.60)

<sup>1</sup> Funding is adjusted for base payroll changes. In addition, the branch research centers removed 1.60 FTE positions pursuant to Section 8 of Chapter 20 of the 2019 Session Laws.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
<b>Dickinson Research Center</b>			
Salary increase	\$55,900	\$6,772	\$62,672
Health insurance increase	604	80	684
Total	\$56,504	\$6,852	\$63,356
<b>Central Grasslands Research Center</b>			
Salary increase	\$39,421	\$0	\$39,421
Health insurance increase	485	0	485
Total	\$39,906	\$0	\$39,906
<b>Hettinger Research Center</b>			
Salary increase	\$51,485	\$10,407	\$61,892
Health insurance increase	564	115	679
Total	\$52,049	\$10,522	\$62,571
<b>Langdon Research Center</b>			
Salary increase	\$36,339	\$3,112	\$39,451
Health insurance increase	405	34	439
Total	\$36,744	\$3,146	\$39,890
<b>North Central Research Center</b>			
Salary increase	\$41,359	\$23,828	\$65,187
Health insurance increase	429	252	682
Total	\$41,788	\$24,080	\$65,868
<b>Williston Research Center</b>			
Salary increase	\$69,561	\$10,284	\$79,845
Health insurance increase	634	95	729
Total	\$70,195	\$10,379	\$80,574
<b>Carrington Research Center</b>			
Salary increase	\$83,792	\$53,667	\$137,459
Health insurance increase	1,000	655	1,655
Total	\$84,792	\$54,322	\$139,114
<b>Total</b>			
Salary increase	\$377,857	\$108,070	\$485,927
Health insurance increase	4,121	1,231	5,352
Grand Total	\$381,978	\$109,301	\$491,279

<sup>3</sup> Funding for capital bond payments is increased by \$332 from the general fund, including \$186 for the Central Grasslands Research Center and \$146 for the North Central Research

Center.

**Senate Bill No. 2020 - NDSU Extension Service - Senate Action**

	Base Budget	Senate Changes	Senate Version
Extension Service	\$54,396,305	\$1,913,421	\$56,309,726
Soil Conservation Committee	1,091,520		1,091,520
Total all funds	\$55,487,825	\$1,913,421	\$57,401,246
Less estimated income	27,778,159	512,645	28,290,804
General fund	\$27,709,666	\$1,400,776	\$29,110,442
FTE	242.51	(0.74)	241.77

**Department 630 - NDSU Extension Service - Detail of Senate Changes**

	Adjusts FTE Positions <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds FTE Positions for the Livestock Initiative <sup>3</sup>	Adds FTE Position and Funding for the Big Data Initiative <sup>4</sup>	Total Senate Changes
Extension Service		\$1,133,421	\$500,000	\$280,000	\$1,913,421
Soil Conservation Committee					
Total all funds	\$0	\$1,133,421	\$500,000	\$280,000	\$1,913,421
Less estimated income	0	512,645	0	0	512,645
General fund	\$0	\$620,776	\$500,000	\$280,000	\$1,400,776
FTE	(3.74)	0.00	2.00	1.00	(0.74)

<sup>1</sup> Pursuant to Section 8 of Chapter 20 of the 2019 Session Laws, the NDSU Extension Service removed 3.74 FTE positions.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$614,242	\$507,267	\$1,121,509
Health insurance increase	6,534	5,378	11,912
Total	\$620,776	\$512,645	\$1,133,421

<sup>3</sup> Funding of \$500,000 from the general fund and 2 FTE positions to be determined by the NDSU Extension Service, are added for the livestock initiative.

<sup>4</sup> Funding of \$280,000 from the general fund, including \$220,000 for salaries and wages and \$60,000 for related operating costs, is added for 1 FTE data information specialist position.

**Senate Bill No. 2020 - Northern Crops Institute - Senate Action**

	Base Budget	Senate Changes	Senate Version
Northern Crops Institute	\$3,840,027	\$75,225	\$3,915,252
Total all funds	\$3,840,027	\$75,225	\$3,915,252
Less estimated income	1,896,217	27,485	1,923,702
General fund	\$1,943,810	\$47,740	\$1,991,550
FTE	12.80	0.75	13.55

**Department 638 - Northern Crops Institute - Detail of Senate Changes**

	Adjusts FTE Positions <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Total Senate Changes
Northern Crops Institute		\$75,225	\$75,225
Total all funds	\$0	\$75,225	\$75,225
Less estimated income	0	27,485	27,485
General fund	\$0	\$47,740	\$47,740
FTE	0.75	0.00	0.75

<sup>1</sup> Pursuant to Section 8 of Chapter 20 of the 2019 Session Laws, the Northern Crops

Institute added 0.75 FTE positions.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$47,308	\$27,235	\$74,543
Health insurance increase	432	250	682
Total	\$47,740	\$27,485	\$75,225

### Senate Bill No. 2020 - Main Research Center - Senate Action

	<u>Base Budget</u>	<u>Senate Changes</u>	<u>Senate Version</u>
Main Research Center	\$109,170,101	\$4,640,557	\$113,810,658
Total all funds	\$109,170,101	\$4,640,557	\$113,810,658
Less estimated income	56,502,775	943,890	57,446,665
General fund	\$52,667,326	\$3,696,667	\$56,363,993
FTE	344.05	(9.49)	334.56

### Department 640 - Main Research Center - Detail of Senate Changes

	<u>Adjusts Funding for Base Payroll Changes<sup>1</sup></u>	<u>Adds Funding for Salary and Benefit Increases<sup>2</sup></u>	<u>Reduces Funding for Bond Payments<sup>3</sup></u>	<u>Adds FTE Positions for the Data Initiative<sup>4</sup></u>	<u>Adds One-Time Funding for Deferred Maintenance<sup>5</sup></u>	<u>Adds One-Time Funding for CREC Capital Projects<sup>6</sup></u>
Main Research Center	(\$2)	\$1,740,781	(\$222)	\$800,000	\$500,000	\$775,000
Total all funds	(\$2)	\$1,740,781	(\$222)	\$800,000	\$500,000	\$775,000
Less estimated income	(2)	568,892	0	0	0	275,000
General fund	\$0	\$1,171,889	(\$222)	\$800,000	\$500,000	\$500,000
FTE	(12.49)	0.00	0.00	3.00	0.00	0.00

	<u>Adds One-Time Funding for CGREC Capital Projects<sup>7</sup></u>	<u>Adds One-Time Funding for HREC Capital Projects<sup>8</sup></u>	<u>Total Senate Changes</u>
Main Research Center	\$525,000	\$300,000	\$4,640,557
Total all funds	\$525,000	\$300,000	\$4,640,557
Less estimated income	100,000	0	943,890
General fund	\$425,000	\$300,000	\$3,696,667
FTE	0.00	0.00	(9.49)

<sup>1</sup> Funding is adjusted for base payroll changes. In addition, the NDSU Main Research Center removed 12.49 FTE positions pursuant to Section 8 of Chapter 20 of the 2019 Session Laws.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$1,160,924	\$563,764	\$1,724,688
Health insurance increase	10,965	5,128	16,093
Total	\$1,171,889	\$568,892	\$1,740,781

<sup>3</sup> Funding for bond payments is reduced by \$222 from the general fund.

<sup>4</sup> Funding of \$800,000 from the general fund and 3 FTE positions, including 1.5 FTE positions to support enhancements to the North Dakota Agricultural Weather Network and 1.5 FTE positions related to data analytics, management and curation, are added for a data initiative.

<sup>5</sup> One-time funding of \$500,000 from the general fund is added for deferred maintenance.

<sup>6</sup> One-time funding of \$775,000, including \$500,000 from the general fund and \$275,000 from other funds, is added for capital projects for the Carrington Research Extension Center, including a feedlot research support facility, a feedlot pen expansion, and other capital projects as funding allows.

<sup>7</sup> One-time funding of \$525,000, including \$425,000 from the general fund and \$100,000 from other funds, is added for capital projects at the Central Grasslands Research Extension Center, including a research pasture working facility, up to \$325,000 for a residence, and other capital projects as funding allows.

<sup>8</sup> One-time funding of \$300,000 from the general fund is added for a new machine shed at the Hettinger Research Extension Center.

**Senate Bill No. 2020 - Agronomy Seed Farm - Senate Action**

	Base Budget	Senate Changes	Senate Version
Agronomy Seed Farm	\$1,565,975	\$13,648	\$1,579,623
Total all funds	\$1,565,975	\$13,648	\$1,579,623
Less estimated income	1,565,975	13,648	1,579,623
General fund	\$0	\$0	\$0
FTE	3.00	0.00	3.00

**Department 649 - Agronomy Seed Farm - Detail of Senate Changes**

	Adds Funding for Salary and Benefit Increases <sup>1</sup>	Total Senate Changes
Agronomy Seed Farm	\$13,648	\$13,648
Total all funds	\$13,648	\$13,648
Less estimated income	13,648	13,648
General fund	\$0	\$0
FTE	0.00	0.00

<sup>1</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	Other Funds
Salary increase	\$13,500
Health insurance increase	148
Total	\$13,648

**REPORT OF STANDING COMMITTEE**

**SB 2030: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2030 was placed on the Sixth order on the calendar.

Page 1, line 2, after "program" insert "; and to amend and reenact subdivision c of subsection 1 of section 15-10-48 and subdivision c of subsection 1 of section 15-10-49 of the North Dakota Century Code, relating to matching grants for the advancement of academics"

Page 1, line 5, replace "\$9,650,000" with "\$20,000,000"

Page 1, after line 9, insert:

**"SECTION 2. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-48 of the North Dakota Century Code is amended and reenacted as follows:

- c. The board may award up to ~~one million seven~~three million five hundred thousand dollars in matching grants to each institution.

**SECTION 3. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:

- c. The board may award up to:
- (1) ~~Nine hundred fifty thousand~~ Two million dollars each to Bismarck state college, Minot state university, and the North Dakota state college of science;
  - (2) ~~Seven~~ One million five hundred thousand dollars each to Dickinson state university, Mayville state university, and Valley City state university; and
  - (3) ~~Three~~ Seven hundred fifty thousand dollars each to Dakota college at Bottineau, Lake Region state college, and Williston state college."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT

This amendment increases the appropriation for the higher education challenge matching grant program to \$20 million from the general fund and adjusts the amounts each institution is eligible to receive.

#### REPORT OF STANDING COMMITTEE

**SB 2040: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2040 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2052: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2052 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2082, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2082 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2086: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2086 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new section to chapter 50-01.1 of the North Dakota Century Code, relating to gifts and donations received by human service zones;"

Page 1, line 2, after "14-15-11" insert ", 50-01.1-01"

Page 1, line 2, after "50-01.1-08" insert ", 50-01.2-01"

Page 1, line 3, after "50-33-02" insert ", 50-35-01"

Page 1, line 3, remove "50-35-06,"

Page 1, line 6, replace "and" with "to provide for legislative management reports; to provide for a legislative management study;"

Page 1, line 6, after "employees" insert "; and to provide an effective date"

Page 10, after line 16, insert:

**"SECTION 8. AMENDMENT.** Section 50-01.1-01 of the North Dakota Century Code is amended and reenacted as follows:

**50-01.1-01. Definitions.**

As used in this chapter, unless the context or subject matter otherwise requires:

1. "Department" means the department of human services.
2. "Direct costs" means costs that are charged directly to the human service zone human service fund. Direct costs are costs related directly to human service zone team members or human service zone services, including compensation, fringe benefits, and operating costs that are not identified by the department as an indirect cost.
3. "Host county" means the county within the human service zone in which the human service zone administrative office is located and in which the human service zone team members are employed.
- ~~3-4.~~ "Human service zone" means a county or consolidated group of counties administering human services within a designated area in accordance with an agreement or plan approved by the department.
- ~~4-5.~~ "Human service zone director" means a human service zone team member who oversees the human service zone's operation and budget and serves as presiding officer of the human service zone board.
- ~~5-6.~~ "Human service zone team member" means a county employee who is responsible for administering or delivering human services under the direction of the human service zone director.
- ~~6-7.~~ "Human services" means:
  - a. A service or assistance provided to an individual or an individual's family in need of services or assistance, including child welfare services, locally administered economic assistance programs, medical service programs, and aging service programs, to assist the individual or the individual's family in achieving and maintaining basic self-sufficiency, including physical health, mental health, education, welfare, food and nutrition, and housing.
  - b. A service or assistance provided, administered, or supervised by the department in accordance with chapter 50-06.
  - c. Licensing duties as administered or supervised by the department or delegated by the department to a human service zone.
- ~~7-8.~~ "Indirect costs" means salaries, benefits, and operating costs incurred in providing those goods and services to support human services that are generally available for the common benefit of multiple county agencies which are not identified by the department as a direct cost. These indirect costs include legal representation; facilities and related costs, such as utilities and maintenance; administrative support including payroll, accounting, banking, and coordination; information technology support and equipment; and miscellaneous goods and services, such as transportation, supplies, insurance coverage, phone, and mail services.
- ~~8-9.~~ "Locally administered economic assistance programs" means those primary economic assistance programs that need to be accessible to all citizens of the state through a human service zone office and include:
  - a. Temporary assistance for needy families;
  - b. Employment and training programs;

- c. Child care assistance programs;
- d. Medical assistance, including early periodic screening, diagnosis, and treatment;
- e. Supplemental nutrition assistance programs, including employment and training programs;
- f. Refugee assistance programs;
- g. Basic care services;
- h. Energy assistance programs; and
- i. Information and referral."

Page 11, line 14, after the period insert "Indirect costs of the human service zone may not become direct costs without written approval of the department."

Page 12, after line 25, insert:

**"SECTION 11.** A new section to chapter 50-01.1 of the North Dakota Century Code is created and enacted as follows:

**Human service zones accepting gifts and donations.**

A human service zone shall secure, hold, and administer for the purpose for which the human service zone is established any property and any funds donated to the human service zone either by will or deed, or otherwise, or through court order or otherwise available to the human service zone, and to administer the funds or property in accordance with the instructions in the instrument creating the funds or property or in accordance with the instructions in the court order or otherwise. Property and funds received by a human service zone under this section are not considered income to the human service zone.

**SECTION 12. AMENDMENT.** Section 50-01.2-01 of the North Dakota Century Code is amended and reenacted as follows:

**50-01.2-01. Human service zone board - Members - Qualifications.**

The board of county commissioners of each county within the human service zone shall appoint the appointed members of the human service zone board based upon fitness to serve as members by reason of character, experience, and training without regard to political affiliation. Appointed members of the human service zone board must consist of local elected officials and other key community partners. ~~Each~~If a human service zone consists of two or more counties, each county must be represented on the human service zone board by ~~at least~~only one county commissioner of that county. If a human service zone consists of a single county, the county must be represented on the human service zone board by no more than two county commissioners of that county and the human service zone board must have at least five appointed members. Appointed members shall elect a vice presiding officer and appoint a secretary, and other officers as the human service zone board determines necessary. The human service zone director shall serve as presiding officer of the human service zone board as a nonappointed member."

Page 16, after line 19, insert:

**"SECTION 18. AMENDMENT.** Section 50-35-01 of the North Dakota Century Code is amended and reenacted as follows:

**50-35-01. Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "Department" means the department of human services.

2. "Director" means the executive director of the department or the executive director's designee.
3. "Direct costs" means costs that are charged directly to the human service zone human service fund. Direct costs are costs related directly to human service zone team members or human service zone services, including compensation, fringe benefits, and operating costs that are not identified by the department as an indirect cost.
4. "Economic assistance" means those primary economic assistance programs that need to be accessible to all citizens of the state through a human service zone, including:
  - a. Temporary assistance for needy families;
  - b. Employment and training programs;
  - c. Child care assistance programs;
  - d. Medical assistance, including early periodic screening, diagnosis, and treatment;
  - e. Supplemental nutrition assistance programs, including employment and training programs;
  - f. Refugee assistance programs;
  - g. Basic care services;
  - h. Energy assistance programs; and
  - i. Information and referral.
- 4-5. "Human service zone" means a county or consolidated group of counties administering human services within a designated area in accordance with an agreement or plan approved by the department.
- 5-6. "Human service zone director" means a human service zone team member who oversees the human service zone's operation and budget and serves as presiding officer of the human service zone board.
- 6-7. "Human services" means:
  - a. A service or assistance provided to an individual or an individual's family in need of services or assistance, including child welfare services, economic assistance programs, medical service programs, and aging service programs, to assist the individual or the individual's family in achieving and maintaining basic self-sufficiency, including physical health, mental health, education, welfare, food and nutrition, and housing.
  - b. A service or assistance provided, administered, or supervised by the department in accordance with chapter 50-06.
  - c. Licensing duties as administered or supervised by the department or delegated by the department to a human service zone.
- 7-8. "Indirect costs" means salaries, benefits, and operating costs incurred in providing those goods and services to support human services that are generally available for the common benefit of multiple county agencies which are not identified by the department as a direct cost. These indirect costs include legal representation; facilities and related costs, such as utilities and maintenance; administrative support, including payroll, accounting, banking, and coordination; information technology support

and equipment; and miscellaneous goods and services, such as transportation, supplies, insurance coverage, phone, and mail services."

Page 16, line 22, after "**Study**" insert "**- Report to legislative management**"

Page 17, line 3, replace "provide information to county commissioners outlining the" with "develop a"

Page 17, line 5, after "conditions" insert "and factors"

Page 17, line 5, after "may" insert "or may not"

Page 17, line 6, after "zone" insert "and the department"

Page 17, line 9, after the period insert "Before August 1, 2022, the department shall report to the legislative management the process developed for allowing a human service zone to opt in to state employment."

Page 17, line 10, remove "sixty-eighth"

Page 17, after line 11, insert:

"5. During the 2021-22 interim, the department, with assistance from the North Dakota association of counties and human service zone directors, shall study indirect costs. The study must identify a plan defining the process to calculate payment for indirect costs. The department shall provide regular updates to the legislative management on the progress of the study. Before August 1, 2022, the department shall report to the legislative management the process developed to calculate payment for indirect costs."

Page 18, line 1, remove "The director may subtract from a human service zone's payment any amount included"

Page 18, remove line 2

Page 18, line 3, remove "6."

Page 18, line 8, after "calculate" insert ", in collaboration with the human service zone director or designee."

Page 19, line 13, after the period insert "Indirect costs of the human service zone may not become direct costs without written approval of the department."

Page 19, after line 16, insert:

"5. Direct costs must be applied consistently within all human service zones and may not be included in indirect costs.

6. Indirect costs must be applied consistently within all counties as it relates to human service zones and may not be included in direct costs."

Page 20, remove lines 8 through 19

Page 20, after line 26, insert:

**"SECTION 25. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF HUMAN SERVICES AND HUMAN SERVICE ZONES EMPLOYEE COMPENSATION.**

1. During the 2021-22 interim, the legislative management shall study issues related to the department of human services and human service zones employee compensation. The study must include consideration of the following issues:

- a. Total state employee and human service zone team members compensation, including wages and salaries, annual leave, pay grades, classification, disaster or emergency services volunteers' leave, employee assistance program benefits, family and medical leave, funeral leave, holidays, hours of work, administrative leave, jury and witness leave, leave without pay, the merit system, military leave, overtime compensation, retirement benefits, health insurance benefits, severance pay, sick leave, benefits for temporary employees, and time off to vote.
  - b. Health insurance benefits, including the availability of health savings accounts, self-insurance, healthy lifestyle incentives, and the appropriateness of the human service zones' current health insurance benefits.
  - c. Compensation equity between the department of human services, other state agencies, human service zones, and the market; within human service zones; within the department of human services; and between human service zones.
  - d. The feasibility and desirability of implementing compensation equity.
2. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Page 21, after line 23, insert:

**"SECTION 27. EFFECTIVE DATE.** Section 12 of this Act becomes effective on January 1, 2022."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2146: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2146 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2155: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2155 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2169: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2169 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2170: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2170 was placed on the Sixth order on the calendar.

Page 2, line 17, after the underscored comma insert "on a form established by the insurance commissioner."

Page 2, line 18, remove "two hundred fifty"

Page 2, line 23, replace "two hundred fifty" with "the"

Page 2, line 24, after the underscored period insert "The insurance commissioner shall identify the number of reference drugs subject to the referenced rate."

Page 2, line 25, replace "determine the referenced rate" with "establish a rate to be used as a basis to begin negotiation. The insurance commissioner shall establish this rate"

Page 3, remove line 1

Page 3, line 2, remove "among those resources and the wholesale acquisition cost."

Page 3, line 3, after "within" insert "the identified"

Page 3, line 3, remove "described in subsection 3"

Page 3, line 4, replace "shall" with "may"

Page 3, line 5, remove "referenced"

Page 3, line 5, replace "a reference such as" with "used as a basis to begin negotiation"

Page 3, after line 6, insert:

"4. The insurance commissioner shall negotiate with manufacturers and distributors of referenced drugs to set a reference rate for each of the identified drugs."

Page 3, line 13, remove "**and office within the state**"

Page 3, line 15, replace "be" with "have"

Page 3, line 15, replace "and maintain an office within" with "in"

Page 3, line 16, after "savings" insert "**- Referenced drug fund**"

Page 3, line 17, replace "Any" with "A health plan or participating Employee Retirement Income Security Act plan shall use any"

Page 3, line 17, remove "must be"

Page 3, line 18, remove "used"

Page 3, line 18, replace "consumers" with "their members"

Page 3, line 18, remove "state entity."

Page 3, line 18, remove the second underscored comma

Page 3, line 21, remove "2."

Page 3, line 21, remove "state entity."

Page 3, line 21, remove the third underscored comma

Page 3, line 25, replace "achieve the requirements of subsection 1" with "reduce costs to its members"

Page 3, after line 25, insert:

"2. A state entity shall deposit any savings generated as a result of the requirements in section 19-03.7-02 into a referenced drug fund in the state treasury. Subject to legislative appropriation, the money in the fund must be used by the public employees retirement system and the insurance commissioner to administer this chapter and to reduce health plan premiums of state entities."

Page 3, line 30, after the underscored period insert "The insurance commissioner and state board of pharmacy shall work with the attorney general in enforcing this chapter."

Page 4, line 3, after "sale" insert "- Penalty"

Page 4, line 9, after "commissioner" insert ", to the state board of pharmacy."

Page 4, line 12, after "commissioner" insert ", working in consultation with the state board of pharmacy."

Page 4, line 23, after "commissioner" insert ", working in consultation with the state board of pharmacy."

Page 4, line 28, replace "4" with "5"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2206: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2206 was placed on the Sixth order on the calendar.

Page 2, line 1, remove "rate of return and the rate base, for power"

Page 2, line 2, replace "purchase agreements of a coal-fired electric generating unit, plant, or facility" with "a financial incentive set at a reasonable rate for power purchase agreements of a dispatchable on-demand generating unit, plant, or facility deemed to protect grid reliability"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SB 2218: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2218 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2229, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2229 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2249: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2249 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2257: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2257 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**SB 2258: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2258 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to shelter care programs for runaway youth.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. SHELTER CARE PROGRAMS FOR RUNAWAYS - LEGISLATIVE MANAGEMENT STUDY.** During the 2021-22 interim, the legislative management shall consider studying, in collaboration with the commission on juvenile justice, the necessity of licensing shelter care programs for runaway, homeless, and former foster care youth and the ability of these youth to access

temporary shelter. The study must include a review of the current barriers, effective intervention, and necessary resources and services. The legislative management shall report its findings, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2275: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). SB 2275 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2284: Human Services Committee (Sen. Lee, Chairman)** recommends **DO NOT PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2284 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2289: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2289 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2344: Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2344 was placed on the Sixth order on the calendar.

Page 1, line 13, replace "or any" with "of:"

(1) Any government-owned or government-operated"

Page 1, line 13, after "range" insert ", unless the closure or limitation is required for maintenance, law enforcement training, military training, hunter education, or other special activities associated with the shooting sports or the closing or limitation of hours applies equally to all forms of commerce, use, recreation, enjoyment, or general activity within the jurisdiction:

(2) Any private indoor or outdoor shooting range, unless the closing or limitation of hours applies equally to all forms of commerce, use, recreation, enjoyment, or general activities within the jurisdiction:"

Page 1, line 13, replace the second "any" with:

"(3) Any"

Page 1, line 22, remove "or"

Page 1, line 22, remove the overstrike over ", or authorize the seizure or"

Page 1, remove the overstrike over lines 23 and 24

Page 2, remove the overstrike over lines 1 and 2

Page 2, line 3, remove the overstrike over "seizing or confiscating the firearm or ammunition as evidence of a crime;"

Page 2, line 4, remove the overstrike over "e:"

Page 2, line 4, overstrike "Require registration of any firearm or ammunition for which" and insert immediately thereafter "When"

Page 2, line 4, remove the overstrike over "registration is not"

Page 2, line 5, remove the overstrike over "~~otherwise required by law~~" and insert immediately thereafter ", require registration of"

Page 2, line 8, replace "c." with "d."

Page 2, line 10, replace "d." with "e."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**SCR 4010: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)** recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SCR 4010 was placed on the Eleventh order on the calendar.

#### FIRST READING OF HOUSE BILLS

**HB 1035:** A BILL for an Act to create and enact chapters 27-20.2, 27-20.3, and 27-20.4 of the North Dakota Century Code, relating to the Juvenile Court Act; to amend and reenact subsection 16 of section 11-16-01, section 12.1-32-15, subsections 1 and 3 of section 12.1-41-12, subsection 2 of section 14-02.1-03.1, subsection 2 of section 14-02.1-08, subdivision c of subsection 2 of section 14-07.1-18, section 14-15-11, subsections 1 and 2 of section 15.1-09-33.4, sections 15.1-19-15, 20.1-13.1-01, 20.1-15-01, 26.1-36-20, and 26.1-40-11.1, subsection 2 of section 27-05-30, section 27-20.1-01, paragraph 4 of subdivision n of subsection 2 of section 27-20.1-06, subsection 1 of section 27-20.1-10, subdivision d of subsection 1 of section 27-20.1-11, subsection 3 of section 27-20.1-11, subsection 2 of section 27-20.1-17, section 27-20.1-22, section 27-20.3-05 as created by section 23 of this Act, section 27-20.4-06 as created by section 25 of this Act, subsections 2 and 3 of section 27-21-02, subsection 3 of section 27-21-02.1, section 27-21-09, subsections 2 and 5 of section 27-21-12, section 30.1-27-02, subsection 3 of section 30.1-27-06, section 39-06-32.1, subsection 2 of section 39-20-01, section 39-24.1-01, subsection 5 of section 50-06-05.1, subdivision a of subsection 4 of section 50-06-43.2, subsection 1 of section 50-11.3-01, sections 50-25.1-02 and 50-25.1-06, subsection 4 of section 50-25.1-15, subsection 2 of section 54-12-34, and sections 54-23.4-17 and 62.1-02-01 of the North Dakota Century Code, relating to juvenile justice; to repeal chapter 27-20 and section 27-21-03 of the North Dakota Century Code, relating to the Uniform Juvenile Court Act; to provide a penalty; and to provide an effective date.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1087:** A BILL for an Act to create and enact two new sections to chapter 26.1-36.7 of the North Dakota Century Code, relating to third-party reinsurance; to amend and reenact sections 26.1-03-17, 26.1-36.7-01, 26.1-36.7-02, 26.1-36.7-03, 26.1-36.7-04, 26.1-36.7-05, 26.1-36.7-06, 26.1-36.7-07, 26.1-36.7-08, 26.1-36.7-09, and 26.1-36.7-10 of the North Dakota Century Code, relating to premium taxes and credits for insurance companies and the establishment of an invisible reinsurance pool for the individual health insurance market; to provide for a study; to provide a penalty; to provide an appropriation; to provide a continuing appropriation; and to declare an emergency.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

**HB 1113:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to obtaining a landowner's permission before baiting; to amend and reenact subsection 3 of section 12.1-31-14 of the North Dakota Century Code, relating to trail cameras; and to provide a penalty.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**HB 1162:** A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to raffle ticket purchases.

Was read the first time and referred to the **Finance and Taxation Committee**.

**HB 1176:** A BILL for an Act to amend and reenact section 39-06-01.1 of the North Dakota Century Code, relating to cancellation of a minor's driver's license.

Was read the first time and referred to the **Transportation Committee**.

**HB 1196:** A BILL for an Act to amend and reenact sections 12-60.1-01 and 12-60.1-02 and

subsection 8 of section 12-60.1-04 of the North Dakota Century Code, relating to sealing criminal records.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1303:** A BILL for an Act to provide for a legislative management study of noncompliance with open records requirements by county commissions and auditors, city councils and commissions, and school districts; and bypassing voter approval requirements.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1368:** A BILL for an Act to create and enact section 51-07-28.1 of the North Dakota Century Code, relating to tracking devices on motor vehicles; and to provide a penalty.

Was read the first time and referred to the **Transportation Committee**.

**HB 1406:** A BILL for an Act to amend and reenact section 39-06-07 of the North Dakota Century Code, relating to an application for an operator's license.

Was read the first time and referred to the **Transportation Committee**.

**HB 1427:** A BILL for an Act to provide for duties of the commission on juvenile justice and the children's cabinet and to create a juvenile justice planning committee, a planning committee for children in need of services, and a planning committee for alternatives to juvenile detention.

Was read the first time and referred to the **Judiciary Committee**.

**HB 1435:** A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employees retirement system health insurance benefits coverage for emergency responders who die in the line of duty; and to provide for retroactive application.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

**HB 1445:** A BILL for an Act to amend and reenact sections 57-09-01 and 57-09-06 of the North Dakota Century Code, relating to township boards of equalization; and to declare an emergency.

Was read the first time and referred to the **Political Subdivisions Committee**.

**HB 1457:** A BILL for an Act to amend and reenact section 37-17.1-10 of the North Dakota Century Code, relating to local disasters or emergencies.

Was read the first time and referred to the **Political Subdivisions Committee**.

#### **FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCR 3025:** A concurrent resolution urging the federal government to refrain from enacting regulations that threaten the reliability and affordability of electric power in North Dakota and to increase support for research, development, and deployment for next generation carbon-based energy generation.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

**HCR 3027:** A concurrent resolution urging President Joseph R. Biden, Jr. to continue oil development on federal land and on federal minerals.

Was read the first time and referred to the **Energy and Natural Resources Committee**.

The Senate stood adjourned pursuant to Senator Klein's motion.

**Shanda Morgan, Secretary**